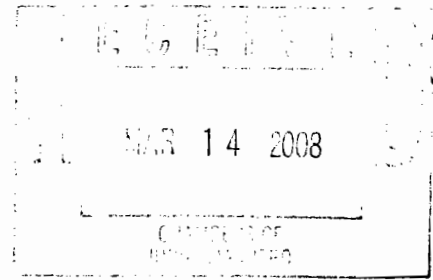


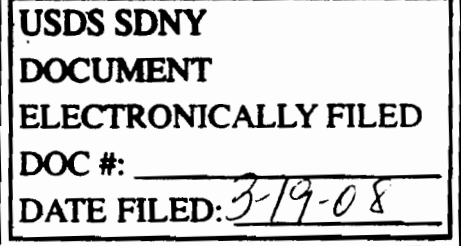
LEGAL DEPARTMENT



Mar. 13, 2008

**By Federal Express**

Hon. Victor Marrero  
 United States District Judge  
 United States Courthouse  
 500 Pearl Street, Room 660  
 New York, NY 10007



Re: *ACLU, et al. v. Department of Defense, et al.*, 07-CV-6097

Dear Judge Marrero,

Plaintiffs in the above-captioned case write respectfully to seek a brief extension of the Conditional Order of Discontinuance originally issued by this Court on September 26, 2007, and extended to March 14, 2008, upon plaintiffs' request on January 24, 2008. Plaintiffs respectfully request that the period of conditional discontinuance be extended by two weeks to March 28, 2008. Defendants do not oppose plaintiffs' request.

On June 28, 2007, plaintiffs filed this Freedom of Information Act ("FOIA") suit concerning FOIA requests filed by plaintiffs seeking information about the use of National Security Letters by the Department of Defense and the Central Intelligence Agency. On September 20, 2007, the parties stipulated to a schedule for processing the requests and an arrangement concerning processing fees. Pursuant to the stipulation, processing of plaintiffs' FOIA requests was to be completed by December 31, 2007.

On September 26, 2007, this Court "so-ordered" the stipulation and entered an order conditionally discontinuing this action without prejudice, provided that "at any time prior to January 31, 2008, the parties may submit to the Court their own Stipulation of Dismissal for the Court to So Order." The Order further provided that "[o]therwise, within such time counsel for plaintiff may apply by letter for restoration of the action to the active calendar of this Court in the event by the deadline indicated the settlement is pursuant to the Stipulation herein is not consummated."

On January 24, 2008, plaintiffs requested that the Court extend the period of the conditional discontinuance to March 14, 2008, because the parties were actively engaged in settlement negotiations. The Court granted plaintiffs' request.

AMERICAN CIVIL LIBERTIES  
 UNION FOUNDATION  
 LEGAL DEPARTMENT  
 NATIONAL OFFICE  
 125 BROAD STREET, 18TH FL.  
 NEW YORK, NY 10004-2400  
 T/212.549.2500  
 F/212.549.2651  
 WWW.ACLU.ORG

OFFICERS AND DIRECTORS  
 NADINE STROSSEN  
 PRESIDENT

ANTHONY D. ROMERO  
 EXECUTIVE DIRECTOR

RICHARD ZACKS  
 TREASURER

The parties remain actively engaged in settlement negotiations and remain hopeful that the remaining issues in this suit can be resolved without further litigation. Plaintiffs are currently awaiting defendants' full response to its settlement proposal. The brief extension of time will allow the parties to complete their settlement negotiations.

Should the Court grant plaintiffs' request, on or before March 28, 2008, the parties will either file a Stipulation of Dismissal or the plaintiffs will write to the Court to request, by letter, that the action be restored to the active calendar.


AMERICAN CIVIL LIBERTIES  
UNION FOUNDATION

Respectfully,



Melissa Goodman (MG-7844)

cc: Serrin Turner  
Assistant United States Attorney

<b>Request GRANTED. The Conditional Order of Discontinuance herein is amended to extend until <u>3-28-08</u> the date by which plaintiff may restore the action to the Court's active calendar.</b>	
<b>SO ORDERED.</b>	
<u>3-18-08</u> DATE	 VICTOR MARRERO, U.S.D.J.